

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	15-Cr-854 (SHS)
-against-	:	<u>ORDER</u>
LESSAGE JEAN BAPTISTE,	:	
Defendant.	:	

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SIDNEY H. STEIN, U.S. District Judge.

The Court is in receipt of the following *pro se* submissions by defendant: (1) ECF Doc. No. 488, (2) ECF Doc. No. 495, and (3) ECF Doc. No. 499, all seeking reconsideration of the Court's prior decision denying defendant's release on bail. Defendant pled guilty to conspiracy to distribute and possess with intent to distribute narcotics, 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(A) which carries a mandatory minimum penalty of 10 years. He subsequently moved to withdraw his guilty plea. That motion was denied in an Opinion & Order dated July 14, 2021.

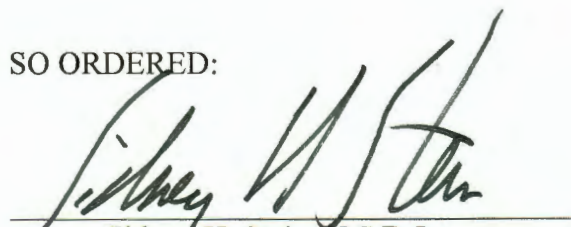
Defendant's release is governed by 18 U.S.C. § 3143(a)(2), which provides, *inter alia*, that a judge shall order the defendant "be detained" unless the judge finds by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community."

There is nothing in defendant's submissions that leads the Court to grant release here. Defendant sets forth the difficult living conditions at the MDC during Covid, as well as his medical conditions (including rhinitis, smoking, past drug use, muscle pain due to working out, and anxiety). He also proposes a package of conditions for his release [ECF Doc. No. 488]. Having reviewed this material, the Court denies defendant's motion to reconsider bail; the Court cannot find by clear and convincing evidence that Jean Baptiste is not likely to flee or pose a danger to any other person or the community. Accordingly,

IT IS HEREBY ORDERED that the defendant's motion for reconsideration of bail is denied.

Dated: New York, New York
July 15, 2021

SO ORDERED:



Sidney H. Stein, U.S.D.J.